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REQUEST FOR CONTINUED EXAMINATION (RCE)

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|------------------------|
| Application Number | 09/431,674 |
| Filing Date | November 1, 1999 |
| First Named Inventor | Baggett et al. 2/25/03 |
| Group Art Unit | 3626 |
| Examiner Name | Porter, Rachel L. |
| Attorney Docket Number | 09765-017001 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

NOTE: 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. §1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. §1.17(i) required)
- b. ☐ Other _____

3. Fee The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1050
- i. ☐ RCE fee required under 37 C.F.R. §1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§1.136 and 1.17)
- iii. ☒ Other Any deficiencies
- b. ☒ Check in the amount of \$750 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

| | | | |
|-------------------|-------------------------|-----------------------------------|------------------|
| Name (Print/Type) | Denis G. Maloney | Registration No. (Attorney/Agent) | 29,670 |
| Signature | <i>Denis G. Maloney</i> | Date | February 5, 2003 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to **Commissioner for Patents, Box RCE, Washington, DC 20231** or facsimile transmitted to the U.S. Patent and Trademark Office on: February 5, 2003

| | | | |
|-------------------|----------------------|------|------------------|
| Name (Print/Type) | Stefanie Dion | Date | February 5, 2003 |
| Signature | <i>Stefanie Dion</i> | | |



Attorney's Docket No.: 09765-017001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Baggett et al.

Art Unit : 3626

Serial No. : 09/431,674

Examiner : Porter, Rachel L.

Filed : November 1, 1999

Title : AVAILABILITY PROCESSING IN A TRAVEL PLANNING SYSTEM

Commissioner for Patents
Washington, D.C. 20231

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PRELIMINARY AMENDMENT

In response to the action mailed November 6, 2002, please amend the application as follows:

In the claims:

Please amend claims 1-5, 9, 15, 16, 21-23, and 29, as follows:

(Twice Amended) 1. A travel planning system comprises:

a computer system for executing:

a scheduling process to provide a set of instances of transportation that satisfy a user

query;

a faring process that determines fares valid for at least some of the instances in the set of instances of transportation; and

an availability process that uses results from a first source of seat availability information for a mode of transportation to determine a set of available instances of transportation;

determines quality properties of the availability information; and

determines, based on the quality properties, whether the first source of availability information is reliable, and if the results are not reliable, the availability process executes a second set of seat availability queries to the first source or a different source of seat availability

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

February 5, 2003

Date of Deposit

Signature

Stefanie Dion

Typed or Printed Name of Person Signing Certificate